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Arizona Corporation Commission
BEFORE THE ARIZONA CORPORATION COMMISSION
DOCKETED

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

DEC 14 1999

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
CAREFREE VALLEY WATER COMPANY FOR
AN ORDER OF CANCELLATION OF THE
COMPANY'S CERTIFICATE OF CONVENIENCE
AND NECESSITY FOR WATER SERVICE.

DOCKET NO. W-02389A-99-0521

DECISION NO. 62143**ORDER**

Open Meeting
December 7, and 8, 1999
Phoenix, Arizona

BY THE COMMISSION:

On September 15, 1999, Carefree Valley Water Company ("Company" or "Applicant") filed with the Arizona Corporation Commission ("Commission") an application which requested the Commission to cancel its Certificate of Convenience and Necessity ("Certificate").

On September 24, 1999, the Commission's Utilities Division ("Staff") filed its report recommending approval of the cancellation of the Company's Certificate.

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. Pursuant to authority granted by the Commission in Decision No. 53222 (September 22, 1982) the Company was granted a Certificate to provide public water service to an area which is presently located within the city limits of Scottsdale, Arizona. The Company was also granted an extension of its Certificate in Decision No. 53845 (December 22, 1983).

2. On September 15, 1999, the Company filed an application requesting that its Certificate be cancelled because its certificated service area was annexed into Scottsdale which will provide water service to the certificated service area of the Company if the Certificate is cancelled.

3. At the present time, Applicant neither has any facilities nor serves any customers

1 within its certificated service area.

2 4. Concurrently with its application, the Company notified all landowners within its
3 certificated service area and secured their written consent to the cancellation of its Certificate by the
4 Commission.

5 5. There are no refunds due for any outstanding security deposits, main extension
6 agreements or meter and service line installations.

7 6. The Company has waived its rights to a hearing with respect to the application herein.

8 7. On September 24, 1999, Staff filed its report recommending the cancellation of the
9 Company's Certificate without a hearing.

10 8. Staff's recommendation is reasonable.

11 **CONCLUSIONS OF LAW**

12 1. The Company is a public service corporation within the meaning of Article XV of the
13 Arizona Constitution and A.R.S. §§ 40-252, 40-281 and 40-282.

14 2. The Commission has jurisdiction over the Company and the subject matter of the
15 application.

16 3. The public convenience and necessity require that the public would benefit from the
17 cancellation of Applicant's Certificate.

18 4. The cancellation of the Company's Certificate would benefit the public interest.

19 5. Staff's recommendation should be adopted and the Certificate of the Company should
20 be cancelled without a hearing.

21 6. The Commission should cancel the Company's Certificate and rescind Decision Nos.
22 53222 and 53845.

23 **ORDER**

24 IT IS THEREFORE ORDERED that the application of Carefree Valley Water Company to
25 cancel its Certificate of Convenience and Necessity be, and is hereby, approved.

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1 IT IS FURTHER ORDERED that Decision Nos. 53222 and 53845 be rescinded and the
2 Certificate of Convenience and Necessity granted therein be, and hereby is, cancelled.

3 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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7 CHAIRMAN  COMMISSIONER  COMMISSIONER
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10 IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive
11 Secretary of the Arizona Corporation Commission, have
12 hereunto set my hand and caused the official seal of the
13 Commission to be affixed at the Capitol, in the City of Phoenix,
14 this 14th day of December, 1999.

15 
16 BRIAN C. McNEIL
17 EXECUTIVE SECRETARY

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DISSENT _____
MES:bbs

1 SERVICE LIST FOR:

CAREFREE VALLEY WATER COMPANY

2 DOCKET NO.

W-02389A-99-0521

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